IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

WP(C).No. 31623 of 2006(M)

PETITIONER:

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1. C.I. RAJU, AGED 49 YEARS,
   S/O.C.J.ISSAC, WORKING AS DRAUGHTSMAN GRADE I,
   BSNL, CIVIL STATION, ERNAKULAM.

2. K.A. MATHEW, AGED 50 YEARS,
   S/O. K.S.ABRAHAM, WORKING AS DRAUGHTSMAN GRADE I,
   BSNL, CIVIL STATION, KOTTAYAM.

3. K.R.K.PILLAI, AGED 46 YEARS,
   S/O. KRISHNAN NAIR, WORKING AS DRAGUTHSMAN GRADE I
   BSNL, CIVIL STATION, KOLLAM.

BY ADV. SRI.G.D.PANICKER
SMT.JEENA JOSEPH

RESPONDENTS:

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1. THE CHAIRMAN AND MANAGING DIRECTOR,
   BSNL, STATESMAN HOUSE, NEW DELHI.

2. DIRECTOR (HRD),
   BSNL, STATESMAN HOUSE, NEW DELHI.

3. CHIEF ENGINEER (CIVIL),
   KERALA ZONE, TRIVANDRUM.

BY SC ADV. SRI.MVS.NAMBOOTHIRY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 31623 OF 2006

Dated this the 15th December, 2006.

JUDGMENT

I have heard counsel for the petitioners and standing counsel for the respondents.

2. The petitioners are working as Draftsman Gr.I under the respondents. This writ petition has been filed seeking to quash Ext.P4 order passed by the Superintending Engineer (P&A) BSNL, Trivandrum informing the petitioners that they will not come within the definition of Group B Officers as they are drawing the pay scale of Rs.5500-9000 in CDA. The petitioners have filed representations before the first respondent. Ext.P5 is the representation filed by the first petitioner. Counsel submits that similar representations have been filed by the petitioners 2 and 3 also.

3. Having regard to the contentions raised in Ext.P5 and similar representations filed by the petitioners 2 and 3, the first respondent shall consider the claim of the petitioners for the grant of benefits as Group B Officers and pass appropriate orders.

4. The writ petition is disposed of directing the first respondent to consider Ext.P5 representation filed by the first petitioner and similar representations filed by

the petitioners 2 and 3 and pass appropriate orders in accordance with law and communicate the same to the petitioners within two months on the petitioners producing a copy of the judgment before the first respondent. The first petitioner shall be afforded an opportunity of being heard, for and on behalf of the other petitioners also, before the first respondent passes orders on the representation.

K.K.DENESAN
Judge

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